

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MANNAN BEPARI,	:	CIVIL ACTION NO. 1:05-CV-1841
	:	
Petitioner	:	(Judge Conner)
	:	
v.	:	
	:	
U.S. DEPARTMENT OF HOMELAND SECURITY,	:	
	:	
Respondent	:	

ORDER

AND NOW, this 13th day of September, 2005, upon consideration of the petition for writ of habeas corpus (Doc. 1) filed pursuant to 28 U.S.C. § 2241, in which petitioner requests an emergency stay of deportation, and it appearing that petitioner is an alien challenging a final administrative order of removal,¹ see 8 U.S.C. § 1252, that the instant petition should be filed in the United States Court of Appeals for the Third Circuit, see id. § 1252(b)(2) (“[A] petition for review [of an order of removal] shall be filed with the court of appeals for the judicial circuit in which the immigration judge completed the proceedings.”), and that this court does not have jurisdiction to grant a stay of deportation, see id. at §§ 1252(b)(3)(B), (g), it is hereby ORDERED that:

1. The request for an emergency stay of deportation is DENIED without prejudice. See 8 U.S.C. §§ 1252(b)(3)(B), (g).

¹ Petitioner’s alien number, gleaned from the petition for writ of habeas corpus is A91 400 721. The immigration proceedings at issue were concluded in York, Pennsylvania.

2. The Clerk of Court is directed to TRANSFER the above-captioned case, to be identified as a “petition for review,” to the United States Court of Appeals for the Third Circuit. See 8 U.S.C. § 1252(b)(2).
3. The Clerk of Court is directed to CLOSE this case.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge